

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

JIMMY L. SHIRLEY,)
Plaintiff,)
v.) Case No. 1:12-CV-51
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
Defendant.)

JUDGMENT ORDER

On September 19, 2012, United States Magistrate Judge William B. Mitchell Carter filed a report and recommendation (“R&R”) in this case, pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b) (Court File No. 17). Neither party has objected to the R&R within the given fourteen days.

After reviewing the record, the Court agrees with the R&R. The Court hereby **ACCEPTS** and **ADOPTS** the magistrate judge's findings of fact, conclusions of law, and recommendations.

Accordingly, the Court **ORDERS**:

- (1) Plaintiff's motion for judgment on the pleadings is **DENIED** (Court File No. 13);
- (2) Defendant's motion for summary judgment is **GRANTED** (Court File No. 15);
- (3) The Commissioner's decision denying benefits to Plaintiff is **AFFIRMED**; and
- (4) This action is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ Debra C. Poplin
CLERK OF COURT